

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	Docket No. 50-271
)	
VERMONT YANKEE NUCLEAR)	
POWER CORPORATION)	
)	
(Vermont Yankee Nuclear)	
Power Station))	

EXEMPTION

I.

Vermont Yankee Nuclear Power Corporation (the licensee) is authorized by Facility Operating License No. DPR-28 to operate the Vermont Yankee Nuclear Power Station (the facility) at steady-state reactor power level not in excess of 1593 megawatts thermal. The license provides, among other things, that it is subject to all rules, regulations, and Orders of the Nuclear Regulatory Commission (the Commission) now or hereafter in effect. The facility consists of a boiling water reactor located at the licensee's site in Windham County, Vermont.

II.

Section 50.54(q) of 10 CFR Part 50 requires a licensee authorized to operate a nuclear power reactor to follow and maintain in effect emergency plans which meet the standards of 10 CFR 50.47(b) and the requirements of Appendix E to 10 CFR Part 50. Section IV.F.2 of Appendix E requires that each licensee at each site shall annually exercise its emergency plan.

By letter dated August 6, 1984, the licensee requested an exemption from the annual exercise requirement of Section IV.F of Appendix E. Specifically, the licensee would substitute an event that occurred on June 15, 1984 in place of the planned November 1984 on-site exercise. The event, which involved local high radiation readings substantially above background, resulting from a traversing incore probe stuck in an unshielded position outside of the reactor core, resulted in complete implementation of their Emergency Plan to the Alert level.

This event adequately substitutes for the planned on-site exercise in that the licensee: (1) identified the nature and cause of the high radiation condition and took immediate action to protect personnel; (2) correctly classified the event based on Emergency Action Level; (3) activated and staffed all emergency facilities to the Alert level; (4) used the emergency response centers and resources to evaluate the problem and determined the best course of action; and (5) notified the NRC and all three emergency planning zone states (Vermont, New Hampshire and Massachusetts) with both New Hampshire and Massachusetts sending representatives to the Emergency Operations Facility. In addition, the NRC Resident Inspector observed activity in the emergency facilities.

The emergency was terminated and recovery was successfully completed. Formal critiques were held with event participants. Both the NRC Resident Inspector and the state representatives were in attendance at the critiques. Comments generated by the critique demonstrated recognition of where problems were encountered. Follow-up of comments in the areas of

procedures, equipment and training is proceeding. The critiques and follow-up activities stemming from the June 15, 1984 event should result in improvements in emergency response capability similar to what would be expected from the conduct of an on-site exercise. No violations were identified by the Resident Inspector. The licensee acted in a manner which adequately provided protective measures for the health and safety of the public in that it was determined that there were no releases of radioactive material offsite. The last full scale emergency exercise was held September 21, 1983. The next full scale emergency exercise is planned for April 1985.

Section IV.F of Appendix E requires that each licensee shall annually exercise its emergency plan. Exercises shall:

- 1) Test the adequacy of timing and adequacy of implementing procedures and methods,
- 2) Test emergency equipment and communications networks,
- 3) Test the public notification system, and
- 4) Ensure that emergency organization personnel are familiar with their duties.

The June 15, 1984 event exercised the emergency plan. Based on an evaluation of the event, response to the event, and subsequent activities, the staff concludes that the licensee adequately demonstrated the capability to implement its emergency plan in order to protect the health and safety of the public.

Based on the above, we conclude that the licensee's request for a one-time exemption is reasonable and that granting the requested exemption

will not adversely effect the overall state of emergency preparedness for Vermont Yankee Nuclear Power Station. Therefore, the licensee's request for exemption should be granted.

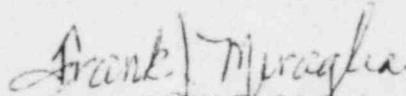
III.

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption requested by the licensee's letter dated August 6, 1984, as discussed above, is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby approves the following exemption:

Exemption from the exercise requirements of 10 CFR 50, Appendix E, Section IV.F. involving the conduct of an on-site exercise during November 1984.

Pursuant to 10 CFR 51.32, the Commission has determined that the issuance of this exemption will have no significant impact on the environment (49 FR 44175).

FOR THE NUCLEAR REGULATORY COMMISSION



Frank J. Micaglia, Acting Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland
this 9th day of November 1984